IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY THIRD DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 14884 of 2004

Between:

M.Nagamani, W/o Nagesh,

Aged about 33 years, Fair Price Shop Dealer,
4th Ward, Yerraguntla Town and Mandal,

Kadapa District

..... PETITIONER

AND

1 The Revenue Divisional Officer, Civil Supplies,

Kadapa, Kadapa District.
2 The Mandal Revenue Officer, Yerraguntla Mandal,

Kadapa District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents particularly the 1st respondent in suspending the petitioner as Fair Price Shop Dealer, 4th Ward, Yerraguntla, Kadapa District in his Ref.No.C/380/2004, dated 04-07-2004 without application of mind and without any reason or basis though the report of the 2nd respondent is explicitly false as illegal, unjust, arbitrary and against statutory provisions and consequently set aside the order passed by the 1st respondent in his Ref.No.C/380/2004, dated 04-07-2004.

Counsel for the Petitioner: MR.L.J.VEERA REDDY

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court made the following :

ORDER:

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The petitioner is the authorized dealer of the Fair Price Shop of the 4th Ward, Yerraguntla Town. This writ petition is filed aggrieved by the proceedings of the 1st respondent-Revenue Divisional Officer of Kadapa District, dated 04-07-2004, where under the authorization of the petitioner has been suspended pending enquiry into the alleged irregularities in distribution of commodities. Admittedly, against the said order, an alternative remedy is available by way of an appeal before the Joint Collector. Since the petitioner failed to exhaust the alternative remedy, this writ petition cannot be maintained.

Accordingly, the writ petition is disposed of, granting leave and liberty to the petitioner to avail the alternative remedy as available under the statute. No costs.

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23-08-2004

vs

To

1 The Revenue Divisional Officer, Civil Supplies,

Kadapa, Kadapa District.

2 The Mandal Revenue Officer, Yerraguntla Mandal,

Kadapa District.

3 Two CCs to the G.P for Civil Supplies, High Court Buildings,

Hyderabad (O.U.T).

4 Two CD copies.

THE HON'BLE MS JUSTICE G.ROHINI

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Dated: 23-08-2004